

Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ERIC TWEDE, BARRY LONG, and
OLIVIA WILLIAMS,

Plaintiffs,

v.

UNIVERSITY OF WASHINGTON,

Defendant.

NO. 2:16-cv-01761-JLR

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND CERTAIN
CONSENT DECREE DEADLINES**

Note on Motion Calendar:
October 30, 2020

The parties to this action, by and through their undersigned counsel of record, hereby jointly move and stipulate to extend certain deadlines in the Consent Decree (Dkt. 66) as set forth below. Capitalized terms have the meaning set forth in the Consent Decree, except as set forth herein.

STIPULATION

The Parties have conferred and have agreed to extend certain deadlines as it relates to Compliance of the Parking Facilities under the Consent Decree.

Section V.2.1 of the Consent Decree provides that no later than September 30, 2020 (the "Phase I Deadline"), the University will have taken all steps necessary (including completion of remediation work) to make at least a total of thirty-five (35) of the Parking

STIPULATION AND ~~PROPOSED~~ ORDER EXTENDING
CERTAIN CONSENT DECREE DEADLINES - 1
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1 Facilities into Compliant Facilities, one of which shall be the Parking Facility designated as
 2 N22. The University has made substantive progress towards fulfilling this requirement by the
 3 Phase I Deadline, and has made no less than 15 Parking Facilities into Compliant Facilities,
 4 including N22 on a standalone basis, as is described in the Parties' Joint Status Report.¹

5 However, a number of the Parking Facilities intended to fulfill the Phase I Deadline still
 6 have some type of accessibility barrier needing correction in order to be fully Compliant. In
 7 some instances, the identified barrier is minor and can be or has been quickly remediated (for
 8 example, a sign that is the wrong height, or that has incorrect information can be replaced). In
 9 other instances, the barrier is somewhat more substantial and will take a few months to
 10 remediate (for example, repainting of parking lots to relocate parking spaces; physical patching
 11 and/or grinding of spots that are not level or have other discontinuities; fabrication and
 12 installation of handrails). Finally, there is a group of Parking Facilities where necessary
 13 remedial steps will need more than a few months to be completed, because they involve one or
 14 more of the following: engineering design work; permitting by the City of Seattle; third party
 15 bidding (to comply with public contracting law); regrading; and/or laying of asphalt and/or
 16 concrete.

17 Based on the type of barrier and the scope of work that appears necessary and
 18 appropriate to remedy the deficiency, the Parties have agreed to extend the Phase I Deadline set
 19 forth within the Consent Decree for specific lots as follows:

20 January 31, 2021 deadline: for deficiencies in the following Parking Facilities other
 21 than those relating to the installation of handrails, the Phase I Deadline is extended to January
 22 31, 2021 (hereafter, the "Phase IA Extension"): C1; C2; C3; N13; N14; N15; N16; N18; N20;
 23 N21; N22; C19; W8; W27; W33; W45; W46; S1; Stadium Garage.

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¹ N22 requires additional remediation to provide programmatic access for other Parking Facilities.

1 March 1, 2021 deadline: for deficiencies in the following Parking Facilities that relate
 2 to installation of handrails, the Phase I Deadline is extended to March 1, 2021 (hereafter, the
 3 Phase IB Extension”): C1; C3; N16; N18; N20; N21; N22; W27.

4 July 31, 2021 deadline: for deficiencies in the following Parking Facilities, the Phase I
 5 Deadline is extended to July 31, 2021 (hereafter, the “Phase IC Extension”): N1; E12; E17.

6 The Phase IA Extension, the Phase IB Extension and the Phase IC Extension are
 7 collectively referred to as the “Phase I Extensions.”

8 The University will be deemed to have fulfilled the requirements of Section V.2.1 of the
 9 Consent Decree when it has taken all steps necessary (including completion of remediation
 10 work) to make at least a total of thirty-five (35) of the Parking Facilities into Compliant
 11 Facilities. This Stipulation does not require the University to make more than 35 Parking
 12 Facilities into Compliant Facilities.

13 The Parties will jointly report to the Court regarding the University’s compliance with
 14 the Phase I Deadline and the Phase I Extensions by September 30, 2021.

15 Other than expressly provided herein, this Stipulation does not amend or alter any part
 16 of the Consent Decree.

17 DATED this 30th day of October, 2020.

18 PFAU COCHRAN VERTITIS AMALA PLLC FOSTER GARVEY PC

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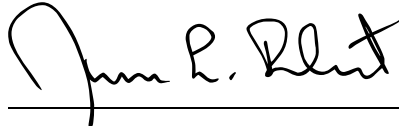
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ORDER

Pursuant to the foregoing stipulation, and being fully advised,

IT IS SO ORDERED.

DATED this 2nd day of November, 2020.

A handwritten signature in black ink, appearing to read "James L. Robart", written over a horizontal line.

HON. JAMES L. ROBART
UNITED STATES DISTRICT JUDGE